

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN CALENDINE,

Defendant.

CASE NO. CR15-5046BHS

ORDER

This matter comes before the parties' Second Stipulation to Continue Trial Date and Pretrial Deadlines. The Court, having considered the stipulated motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. The defense requests additional time to allow counsel to review discovery, including evidence from numerous law enforcement surveillances, investigate the government's allegations and to engage in negotiations.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow  
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of  
3 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result in a  
5 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best interests of  
7 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

8 6. Defendant waived speedy trial through January 31, 2015.

9 NOW, THEREFORE, IT IS HEREBY ORDERED

10 That the trial date is continued from June 23, 2015 to January 19, 2016 at 9:00 a.m.;  
11 Pretrial Conference is set for January 11, 2016, at 11:00 a.m.; pretrial motions are due by  
12 December 2, 2015. The resulting period of delay from June 3, 2015, to January 19, 2016, is  
hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

13 Dated this 9<sup>th</sup> day of June, 2015.

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16 BENJAMIN H. SETTLE  
17 United States District Judge  
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